

5286. Adulteration of shell eggs. U. S. * * * v. 7 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Unfit portion ordered destroyed. Good portion ordered released on bond. (F. & D. No. 7713. I. S. No. 21467-m. S. No. W-131.)

On August 29, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 cases of shell eggs, consigned by Messler & Ruyle, Russell Springs, Kans., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about August 18, 1916, and transported from the State of Kansas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, putrid, and decomposed matter.

On September 25, 1916, Smith & Ellis, Denver, Colo., claimants, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of the eggs found to be unfit for food should be destroyed, and the portion found fit for food be released to said claimant, upon the filing of a good and sufficient bond, in conformity with section 10 of the act.

R. A. PEARSON, *Acting Secretary of Agriculture.*